(G.C.P.)J 455 (5,00,000)-11.2001) Spl-H.C.,A.S.,C.D.,78e

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

Writ Petition No.5399 of 2003

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions and Registrar's order.

Court's or Judge's orders

Shri S.V.Pitre for the petitioner.

Shri R.G.Ketkar for the respondent No.1.

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CORAM : R.M.S.KHANDEPARKAR, J

DATED : 3rd December, 2004

P.C.

1. The learned advocate for the petitioner states that the petitioner has already filed an application for restoration of possession of the suit property in terms of the provisions comprised under Order XXI of the Code of Civil Procedure, 1908, and therefore, does not desire to pursue the claim in the present petition, hence, craves leave to withdraw the present petition. The learned advocate for the petitioner has also submitted that the petitioner is 92 years of age, and therefore, direction be issued to the Court below to dispose of the application filed by him as expeditiously as

possible and within a specified time.

2. In view of the submission, the petition is allowed to be withdrawn. Needless to say that considering the age of the petitioner, the trial Court may consider the request of the petitioner to dispose of the matter as expeditiously as possible. The petition accordingly stands disposed of as withdrawn.